

## **CITIZEN'S COMPLAINT POLICY AND FORM**

### **I. Statement of Policy**

Exercise of discretionary authority by law enforcement agencies in the discharge of their duties is a matter of public concern. While law enforcement officers must be free to exercise this authority in a reasonable, lawful and impartial manner, without fear of reprisal, the rights of *all* persons must be meticulously observed.

Public confidence and trust require the establishment of a procedure to provide a thorough and expeditious investigation of all complaints of individual and departmental misconduct and practices. Such investigations will not only provide for corrective action when appropriate, but will also protect against unwarranted criticism when duties are properly discharged.

### **II. General Procedures**

- A.** All complaints made by citizens against members and employees of this Department shall be accepted from any source, whether made in person, by mail or by telephone. The complaint may be anonymous.
- B.** The Undersheriff shall have the responsibility to evaluate and determine the extent to which complaints are investigated, subject to the approval of the Sheriff. In conducting an internal investigation arising from a pending or criminal case, the investigating officer shall comply with the procedure outlined in the Departmental Manual and by applicable laws.
- C.** Investigations are normally conducted by the Undersheriff, but may be assigned to another officer. It shall be the duty of the Undersheriff to review and evaluate the investigation. If the Undersheriff is satisfied with the investigation, and other appropriate interview with the affected employee, the Undersheriff shall make a finding and recommendation to the Sheriff.
- D.** The Sheriff shall review the findings and recommendation for action. The Sheriff is not bound by the findings and recommendations. The Sheriff may accept, modify, or reject such findings and recommendations. The Sheriff may also direct further investigation.

- E. All complainants, when known, shall be notified of the results of the Investigation, and that corrective action has been taken if the complaint was determined to be legitimate.

### **III Department Commitment**

The Sheriff's Office acknowledges its responsibility to establish a system of complaint and disciplinary procedures, which will subject the employee to corrective action when conduct is improper. The complaint process is also designed to clear our employees of allegations of wrongdoing filed falsely or mistakenly against them.

### **IV Complainant(s) Information**

- A. Fill in the information blanks providing as much information as known on the complainant and any witnesses and return it to the Sheriff's Office.
- B. Complete a detailed statement outlining the allegation(s), facts, and circumstances surrounding the incident.
- C. It is important that exact statements, actions, or circumstances are described in detail when possible. Attach additional sheets as necessary.
- D. Please write, type or print clearly so that all of the information provided will be understood.
- E. It may be necessary to present the stated complaint in person before a Hearing Board in the event this complaint results in any disciplinary proceedings against an employee.

### **V Investigation Information**

Location of Incident: \_\_\_\_\_

Employee(s) Involved: \_\_\_\_\_

Today's Date: \_\_\_\_\_ Date/Time of Incident: \_\_\_\_\_

Complainant Name: \_\_\_\_\_

Address: \_\_\_\_\_ City \_\_\_\_\_ State/Zip \_\_\_\_\_

Date of Birth \_\_\_\_\_ Employer: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone \_\_\_\_\_

**It may be necessary to contact you during regular business hours. Is contact At your employment authorized? Yes \_\_\_\_\_ No \_\_\_\_\_**

Witness: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Other Phone: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Witness: \_\_\_\_\_ Date of Birth \_\_\_\_\_

Home Phone: \_\_\_\_\_ Other Phone: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Allegation or Complaint:\_\_\_\_\_

[illegible]

*Use additional pages if needed.*

*Additional pages attached? Yes\_\_\_\_\_No\_\_\_\_\_*

The Alpine County Sheriff's Office is committed to the protection of the rights of everyone. Unfortunately, a few citizens have used this complaint policy for retaliation or harassment against an employee when duties were properly discharged.

It is therefore important that all allegations presented in a complaint are based on factual information. False evidence supplied can result in criminal charges against complainant for false reporting. (California Penal Code Sections 132 and 134).

You have the right to make a complaint against a peace officer for any improper police conduct. California Law requires this agency to have a procedure in place to investigate citizen complaints.

You have the right to a written description of this procedure. This agency may find after investigation that there is not enough evidence to warrant action on your complaint. Even if that is the case, you have the right to make a complaint and have it investigated if you believed an officer behaved improperly.

Citizen complaints, and any reports or findings relating to complaints, must be retained by this agency for at least five (5) years.

I have read and understand the above statement.

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Signature of Complainant

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Date/Time

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Received By

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Date/Time